

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**IN RE: NATIONAL PRESCRIPTION  
OPIOID LITIGATION**

**THIS DOCUMENT RELATES TO:**

***MDL No 2804 and (Case List  
Case Nos. identified on Ex. A)***

)  
)  
) **MDL No. 2804**

)  
)  
) **JUDGE DAN AARON POLSTER**

)  
)  
) **MOTION TO WITHDRAW AS COUNSEL  
FOR JOHN KAPOOR**

Pursuant to Local Rule 83.9, Kurt M. Mullen, Brian T. Kelly, Mark T. Knights, Vernon W. Johnson, III, Steven M. Richard, Kacey Walker (formerly of Nixon Peabody LLP), and the law firm of Nixon Peabody LLP, respectfully seek leave from the Court to withdraw as counsel of record for Defendant, John Kapoor, in the above-entitled case, and in the cases identified on Exhibit A. In support of this Motion, counsel state the following:

1. Dr. Kapoor has retained other counsel, Paras R. Aneja, 340 E. North Water Street, Unit 4006, Chicago, IL 60611, to represent him in these actions. Mr. Aneja has been identified in Dr. Kapoor's Amended Notice Regarding Service (Dkt. 5328), and he will file appearances in the cases identified on Exhibit A, all of which are stayed. Accordingly, representation of Dr. Kapoor will continue and will not be disrupted by the withdrawal of Kurt M. Mullen, Brian T. Kelly, Mark T. Knights, Vernon W. Johnson, III, Steven M. Richard, Kacey Walker (formerly of Nixon Peabody LLP), and the law firm of Nixon Peabody LLP.

2. The withdrawal of Kurt M. Mullen, Brian T. Kelly, Mark T. Knights, Vernon W. Johnson, III, Steven M. Richard, Kacey Walker (formerly of Nixon Peabody LLP), and the law firm of Nixon Peabody LLP, will not delay the proceedings or prejudice Plaintiff.

3. Written notice has been provided to Dr. Kapoor, and to counsel for the Plaintiffs in the cases identified on Exhibit A.

**WHEREFORE**, Kurt M. Mullen, Brian T. Kelly, Mark T. Knights, Vernon W. Johnson, III, Steven M. Richard, Kacey Walker (formerly of Nixon Peabody LLP), and the law firm of Nixon Peabody LLP, respectfully request an order authorizing the withdrawal, in connection with the above-captioned case, and in those identified on Exhibit A. A proposed Order is submitted with this Motion.

Respectfully submitted,

Dated: March 6, 2024

/s/ Kurt M. Mullen  
Kurt M. Mullen  
Brian T. Kelly  
Mark T. Knights  
NIXON PEABODY LLP  
Exchange Place, 53 State Street  
Boston, MA 02109  
Tel: (617) 345-1000

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on the 6th day of March, 2024, the foregoing was filed using the Court's CM/ECF filing system and will be served via the Court's CM/ECF filing system on all attorneys of record.

/s/ Kurt M. Mullen

Kurt M. Mullen